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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,989	11/10/2000	Giorgos C. Zacharia	O0220/7002/SJH/DPM	4272

7590

12/11/2002

Steven J Henry
Wolf Greenfield & Sacks PC
600 Atlantic Avenue
Boston, MA 02210

EXAMINER

STIMPAK, JOHNNA

ART UNIT

PAPER NUMBER

3623

5

DATE MAILED: 12/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/709,989

Applicant(s)

ZACHARIA, GIORGOS C.

Examiner

Johnna R Stimpak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on November 10, 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on November 10, 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The following is a first Office Action upon examination of application number 09/709989. Claims 1-20 are pending and have been examined on the merits discussed below.

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited

2. The abstract of the disclosure is objected to because it is too long. Correction is required.

See MPEP § 608.01(b).

3. Applicant mentions co-related applications by title – needs to update with serial numbers.

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Objections

5. In claims 1, 2, 4-9 and 20, the use of the word “Act” is awkward. Examiner suggests referring to elements of a method as “steps” instead. For instance, claim 2 may read as the method of claim 1, “further comprising [an act] the step of... wherein step [act] (C) further comprises...”

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-6 and 10-20** are rejected under 35 U.S.C. 102(b) as being anticipated by Zacharia et al.

As per **claim 1**, Zacharia et al teaches a method of determining a personalized ratee reputation of a first entity from the perspective of a second entity associated with the first entity by one or more rating paths, wherein a rating path comprises one or more rating links, each rating link defining a rating of a rated entity provided by a rating entity, wherein each rating path has a length defined as a number of rating links comprised in the path, and each entity comprised on one of the rating paths has a level defined as a number of rating links between the entity and the second entity, the method comprising steps of: (A) performing a breadth-first search beginning at the second entity to determine, from the one or more rating paths, one or more first rating paths that have a first length equal to a shortest length between the first entity and the second entity (pg 5, 1st column – refer to highlighted portion, part a); (B) for each determined first rating path, identifying a third entity on the first rating path that has a level equal to one less than the first length (pg 5, 1st column – refer to highlighted portion, part b); (C) for each identified third entity, determining a first rating of the first entity provided by the third entity; (D) combining the first ratings; and (E) producing the personalized ratee reputation by weighting the combined first ratings by an amount according to the first length (pg 5, column 2, equation 2

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– the reputation calculation involves combining the first (t) ratings and weighting the ratings by the length, θ or m).

As per **claim 2**, teaches step (D) comprises calculating an average of the first ratings pg 5, column 2, equation 2 – the reputation calculation involves combining the first (t) ratings and weighting the ratings by the length, θ or m, then dividing by the total number of ratings).

As per **claim 3**, teaches calculating the average comprises, for each first rating, weighting the first rating as a function of a personalized ratee reputation of the corresponding third entity from the perspective of the second entity, the weighting being relative to personalized ratee reputations of the other third entities from the perspective of the second entity (pg 5, column 1, part b – the reputation value of a user is evaluated taking into account all the ratings of the users at the last node of the path before the user being evaluated).

As per **claim 4**, teaches (F) for each third entity, determining the personalized ratee reputation of the third entity from the perspective of the second entity, comprising: (1) determining one or more fourth entities that are on one of the first rating paths, that have provided a second rating of the third entity and that have a level equal to one less than the level of the third entity; and (2) combining the second ratings to produce the personalized ratee reputation of the third entity from the perspective of the second entity (pg 5, column 2, equation 2, the equation can be calculated for any number of entities, rating paths and ratings).

As per **claim 5**, teaches step (F)(2) further comprises, for each third entity, calculating an average of the second ratings to determine the personalized ratee reputation of the third entity from the perspective of the second entity (pg 5, column 2 – equation 2 is recalculated using $t=2$, $I=3$).

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As per **claim 6**, teaches (F) for each identified third entity, determining if the third entity has provided more than one rating of the first entity; and (G) for each third entity determined to have provided more than one rating of the first entity, selecting a most recent rating of the more than one ratings as the first rating of the first entity provided by the third entity (pg 5, column 1, part a, only interested in the most recent θ paths with respect to the chronological order of the ratings).

As per **claims 10-18**, they are the system of modules for performing the method of claims 1-9, respectively. Therefore the rejection applied to claims 1-10 also applies to claims 10-18.

As per **claim 19**, it is the system with means for performing the method of claim 1. Therefore, the rejection applied to claim 1 also applies to claim 19.

As per **claim 20**, it is the computer program product comprising computer readable medium with instructions to perform claim 1. Therefore, the rejection applied to claim 1 also applies to claim 20.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 7-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Zacharia et al, in view of Moukas et al.

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As per **claim 7**, Zacharia et al teaches all the limitation of claim 8 as applied to claim 1 above, but do not teach determining whether to transact with the first entity based on the determined ratee reputation of the first entity. Moukas et al teaches a selling agent that knows what expertise an entity has and can compare different entities offering the expertise. Moukas et al specifically uses the reputation of the entity to decide whether to transact with the entity (p14). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the reputation generating method of Zacharia et al with the Moukas et al method of determining whether to transact with an entity to make, for example, an online shopping experience more efficient, realistic and trustworthy as suggested by Moukas et al.

As per **claim 8**, Zacharia et al teaches all the limitations of claim 9 as applied to claim 1 above, but do not teach determining a price to pay for a good or service offered by the first entity based on the determined ratee reputation of the first entity. Moukas et al teaches a selling agent that knows what expertise an entity has and can compare different entities offering the expertise. Moukas et al specifically teaches the reputation of the entity being a significant factor of the price level negotiation (p14). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the reputation generating method of Zacharia et al with the Moukas et al method of determining a price to pay for a good or service offered by the first entity based on the determined ratee reputation to make, for example, an online shopping experience more efficient, realistic and trustworthy as suggested by Moukas et al.

As per **claim 9**, Zacharia et al teaches all the limitations of claim 10 as applied to claim 1 above, but do not teach determining a price to pay for insuring a quality of a good or service offered by the first entity based on the determined ratee reputation of the first entity. Moukas et

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al teaches a selling agent that knows what expertise an entity has and can compare different entities offering the expertise. Moukas et al specifically teaches the reputation of the entity being a factor of merchant differentiation in retail sales negotiation (p12 – Tete-a-Tete). Moukas et al teaches a negotiation system that provides way for merchants to differentiate themselves in product and service attributes such as warranty length and options, service contracts, payment options, etc (p12 – Tete-a-Tete). All of which are elements of insuring quality of a product. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the reputation generating method of Zacharia et al with the Moukas et al method of determining a price to pay for a good or service offered by the first entity based on the determined ratee reputation to make, for example, an online shopping experience more efficient, realistic and trustworthy as suggested by Moukas et al.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ginn, U.S. Patent No. 6,362,837 B1 – a method and apparatus for rating messages and weighting the rating depending on the users reputation.

Malet et al, U.S. Patent No. 6,347,332 B1 – a rating process weights references and users based on collective expertise and beliefs of participants.

Priluck, Jill. MIT: E-Commerce Just Beginning – HISTOS allows buyers to rate sellers and vice versa.

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Moukas, Guttman, Zacharias and Maes – Agent-mediated Electronic Commerce: An MIT Media Laboratory Perspective.

Hey, U.S. Patent No. 4,996,642 – a system for recommending items taking into account user ratings.

Hey, U.S. Patent No. 4,870,579 – system and method of predicting subjective reactions to items taking into account user ratings.

Ginn, U.S. Patent No. 6,275,811 B1 – facilitates interactive electronic communication through feedback, background information discloses weighted averages of scaled ratings.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Johnna Stimpak** whose telephone number is **703-305-4566**. The examiner can normally be reached Monday through Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Tariq Hafiz**, can be reached on **703-305-9643**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

703-305-7687

[Official communications; including
After Final communications labeled
"Box AF"]

703-746-3956

[Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor.

Js
12/6/02


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800